

Issue Brief – State Hospital Forensic Beds

NUMBER HHS-05-23

SUMMARY

In July, 2002, as a budget move, the Department suggested and the Legislature approved the closure of one of four wings in the new forensic facility at the State Hospital. Since then, the facility has filled and there is a list of patients waiting in jails for treatment. Court orders forced the Division to hire staff and reopen the wing in December, 2004. The Analyst recommends \$2,147,100 for FY 2006 and \$1,252,400 in FY 2005, all General Fund. The Analyst also recommends that funding be provided for additional staff at the facility to deal with clinical and OSHA standards violations, at a cost of \$305,100 (\$76,300 in FY 2005).

OBJECTIVE

This budget need, if filled, would eliminate the current backlog of prisoners waiting in jail for treatment at the State Hospital's forensic unit. It would allow the State to comply with issued court orders. It is anticipated that the reopening of these 26 beds would for at least the next two or three years prevent another backlog of prisoners waiting for treatment.

DISCUSSION AND ANALYSIS

The closure of the fourth wing (26 beds) of the new forensic facility was accompanied by a General Fund reduction in the Hospital's budget of \$1,727,500 starting with the FY 2003 budget year, including the elimination of 46 positions.

Last October, 16 individuals who had been ordered into mental health treatment by the courts were waiting in jails for services, some for as long as three to four months. Several of the individuals filed "writs for extraordinary relief" with the court. The court issued orders to provide "immediate" services at the Hospital. Under pressure from the courts, the Department decided it had to reopen the closed wing with its 26 beds. It held meetings with staff in the Governor's Office and with legislative leadership explaining the critical need and it was agreed that the State must proceed with reopening the wing. Legislative leadership heard arguments for holding a special session to deal with funding. However, it was agreed that the Department should proceed with reopening the wing and consideration would be given during the 2005 General Session to provide necessary funding.

The cost of \$2,147,100 for reopening wing includes \$135,200 of personnel costs that would have been provided the staff since 2003 (mostly health insurance benefit increases) had they not been let go. It also includes \$284,400 for increased salaries required to hire nurses and related staff due to changes experienced in the job market since 2003. The cost of operating the wing for the seven months in FY 2005 is calculated at \$1,252,400. These costs are all funded from the General Fund.

The Hospital has also requested additional funding for the forensic facility for increasing the management, psychiatric and nursing staff to comply with clinical and OSHA standards. In recent years, incidents at the forensic facility have prompted some staff members to file complaints expressing safety concerns. The Hospital was found in violation of clinical and OSHA standards and requests \$305,100 (all General Fund) to address this need in FY 2006. The Hospital will implement these changes later in FY 2005 if a supplemental of \$76,300 is provided for the last three months of the year.

LEGISLATIVE ACTION

The Analyst recommends the Legislature appropriate \$2,147,100 for FY 2006 (\$1,252,400 for FY 2005) to fund the reopening of the forensic facility. The Analyst also recommends funds be provided to bring the facility into clinical and OSHA standards, \$305,100 for FY 2006 (\$76,300 for FY 2005). See summary table to the right. These recommendations by the Fiscal Analyst are not reflected in the FY 2006 Analyst recommended budget as shown in tables and charts in various Budget Briefs. The Executive Appropriations Committee has not provided additional funding for the subcommittee.

Recommended Increases for the State Hospital		
Forensic Facility		
(All General Fund)		
	Supplemental	
	FY 2005	FY 2006
Reopen 4th Wing (7 months in FY 2005)		
Original Budget Reduction	1,007,600	1,727,500
Benefit Increases Since 2003	78,900	135,200
Market Hiring Cost Changes	165,900	284,400
Total	\$1,252,400	\$2,147,100
Add'l Clinical Staff (3 months in FY 2005)	\$ 76,300	\$ 305,100